

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2641 – SB 2556**

March 14, 2012

**SUMMARY OF AMENDMENT (014430):** Deletes all language after the enacting clause. Limits the offense of harassment by display of an image to cases in which the defendant communicates with another person or transmits or displays an image without legitimate purpose with the intent that the image will be viewed by the victim with the malicious intent to threaten; or in a manner the defendant knows, or reasonably should know, would threaten a similarly situated person of reasonable sensibilities; and as the result of the communication, the person is threatened. Removes “frighten” and “emotional distress.” Requires each school district, at the beginning of each school year, to provide teachers and school counselors with training on bullying prevention and requires such curriculum to be available for public inspection. Requires the Department of Education to report, at least once a year, on the number of statewide bullying incidents and the number of schools implementing bullying training to the House of Representatives and the Senate Education Committees.

**FISCAL IMPACT OF ORIGINAL BILL:**

NOT SIGNIFICANT

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Limiting criminal harassment to those circumstances in which communication with or the display of an image to another person is intended to threaten that person may narrow the prohibitive conduct but will not result in a significant decrease in the misdemeanor convictions.
- Any increase in the workloads for the Department of Education to provide bullying prevention training can be accommodated within existing resources without an increased appropriation or reduced reversion.
- No fiscal impact to the Department to provide the required annual reports.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/lsc